WPMB No. 148 of 2003

Sandeep kumar vs state

Hon.Irshad Hussain, J.
Hon. M.M.Ghildiyal, J.

Heard Sri C.K.Sharma, the learned counsel for the petitioner.

It is submitted that the petitioner had taken loan from the State Bank for his business but could not pay the same on account of a mishap by fire in which the property was damaged. The petitioner is said to have lodged a claim with the insurance company which is pending disposal. However, the pendency of the claim petition with the insurance c company would not indicate that the respondent4 has no right to initiate recovery proceedings. There being no apparent illegality in the recovery proceedings. There being no apparent illegality in the recovery proceedings initiated against the petitioner, we do not propose to entertain this petition and the same is dismissed accordingly.

(Irshad Hussain, J.) **(M.M.Ghildiyal, J.)**

5.3.03/B